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Response to Office Action dated March 27, 2007
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REMARKS

Status of Claims

Claims 1-81 are pending in the application and rejected. Claims 1, 8, 11, 14, 17, 22-23, 34-35, 40, and 51-81 have been amended, claims 7, 9, 33, and 50 have been canceled, and new claims 82-85 have been added. No new matter has been added.

Double Patenting

Claims 1-81 are subject to an obviousness-type double patenting rejection as being unpatentable over claims 1-34 of U.S. Patent No. 7,167,741. According to the Examiner, although the conflicting claims are not identical, they are not patentably distinct from each other because they are directed to analogous methods for effecting treatment in a patient. Without conceding the merits of the double patenting rejection and instead choosing simply to advance the prosecution of the application, Applicants submit herewith a Terminal Disclaimer to obviate the double patenting rejection. Accordingly, Applicants request withdrawal of the double patenting rejection of claims 1-81.

Claim Rejections and Amendments

Applicants note with appreciation that the pending claims are not the subject of any prior art rejection. However, Applicant has taken this opportunity to amend the claims to clarify them and put them in condition for allowance.

Independent claim 1 has been amended to further include the limitations in dependent claims 7 and 9. Dependent claims 7 and 9 have therefore been canceled without prejudice, and claims 8, 11, 14, 17, and 22 have been amended for proper dependency.

Independent claim 23 has also been amended to further include the limitations in dependent claim 33. Dependent claim 33 has therefore been canceled without prejudice, and dependent claims 34-35 have been amended for proper dependency.

Finally, independent claim 40 has been amended to further include the limitations in dependent claim 50. Dependent claim 50 has therefore been canceled without prejudice, and dependent claims 51-52 have been amended for proper dependency.

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Upon reviewing the claims, Applicants realized that claim number 53 was inadvertently skipped while numbering the claims. Therefore, with this Amendment, claims 54-81 have been amended to correct the error in claim numbering.

New Claims

With this Amendment, new claims 82-85 have been added. No new matter has been added. New claims 82-85 correspond with original claims 58, 74, 76, and 78, and recite additional limitations similar to those found in amended independent claims 1, 23, and 40, which Applicants believe are in condition for allowance. As such, Applicants believe that new claims 82-85 are also in condition for allowance.

Conclusion

Applicants respectfully submit that this Amendment and Response addresses all of the Examiner's rejections and places the Application in condition for allowance. A Notice of Allowance is earnestly solicited. If the Examiner believes that a teleconference would be of value in expediting the allowance of the pending claims, the undersigned can be reached at the telephone number listed below.

It is believed that no petition or payment for extension of fees is due. If, however, it is believed that any additional fees are necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference 22163-3003).

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Respectfully submitted,

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